

Appl. No. 10/678,150
Amdt. dated March 31, 2005
Reply to Office Action of January 26, 2005

REMARKS/ARGUMENTS

Examiner has required restriction under 35 USC 121 to Group I claims 1-11 and 21-22 or Group II claims 12-20. Applicant affirms election of Group I claims 1-11 and 21-22. Claims 12-20 have been cancelled without prejudice and applicant retains the right to present claims 12-20 in a divisional application.

Claims 1 and 21 are amended. Claims 6-8 are cancelled in view of the amendment to claim 1. Claims 23-26 are new and present subject matter of claims 6-8 in a manner consistent with amended claim 1.

Claims 1 and 21 have been amended to include three additional features to more clearly define the relationship between the interpenetrating layers and between the interpenetrating layers and the interlayer. Support for these amendments may be found, for example, in paragraphs [0015], [0016] and [0029].

Claim 21 has also been amended to define the first and second interpenetrating layers in a manner consistent with the additional features.

Claims 21 and 26 also include recitation of polyethylene, polyurethane adhesives and acrylic adhesives. Support may be found, for example, in paragraphs [0019] and [0037].

Rejection under 35 USC 102(a)

Examiner has rejected claim 1 under 35 USC 102(a) for being anticipated by Eysel et al. (US 2001/0051480). Applicant respectfully traverses. Present claim 1 recites that the first interpenetrating layer is incompatible in respect of bonding with the second interpenetrating layer and that the interlayer has a texture that promotes interlock strength between the interlayer and the interpenetrating layers. Bonding of the incompatible interpenetrating layers in the presently claimed invention is primarily due to mechanical interlocking of each interpenetrating layer with the interlayer.

In contrast, Eysel at paragraph [0019] indicates that the two cover layers are thermoplastic materials melted together through the meshes of the textile net middle layer to form a laminated article. Thus, Eysel et al. is utilizing the chemical and physical compatibility of the two cover layers to form a laminate bond directly between the compatible cover layers.

Withdrawal of the rejection is respectfully requested.

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Rejection under 35 USC 103(a)

Examiner has rejected claims 1-11 and 21-22 under 35 USC 103(a) as being unpatentable over Eysel et al. (US 2001/0051480). Applicant respectfully traverses.

Eysel et al. is primarily concerned with retaining mechanical stability of relatively thin translucent sheets for use with tents and the like (see paragraphs [0004] and [0007]). In contrast, the present application is concerned with the bonding of materials for the assembly and repair of articles, particularly articles utilizing dissimilar materials (see paragraphs [0002] to [0011]). Thus, the present application and Eysel et al. are directed to different purposes.

As indicated above, the presently claimed invention recites that the first interpenetrating layer is incompatible in respect of bonding with the second interpenetrating layer and that the interlayer has a texture that promotes interlock strength between the interlayer and the interpenetrating layers. As stated in paragraph [0029] of the instant specification, "The nature of the interpenetrating layers is not as important as in other bonding techniques since the strength of the bond arises from the mechanical interlocking of the interpenetrating layers with the interlayer."

In contrast, Eysel et al. at paragraph [0019] indicate that the two cover layers are "thermoplastic material, and they are melted together through the meshes of the textile net middle layer to form the laminated article". This is so "a tight bond between the cover layers is ensured". Thus, Eysel et al. teach away from the presently claimed invention. Eysel et al. use cover layers of compatible materials in a standard lamination process in order to form a strong laminate bond directly between the cover layers. If Eysel et al. were to use incompatible materials, tight bonds could not be readily formed between the cover layers, and delamination of any laminate article that might formed would readily occur.

Applicant submits that the presently claimed invention is not obvious in view of Eysel et al. Withdrawal of the rejection is respectfully requested.

In respect of claims 9, 10 and 22, Eysel et al. make no mention at all of a substrate bonded or adhered to one or more of the interpenetrating layers. Eysel et al. is directed to thin, translucent sheets. Adding more layers does not lend itself to thin, translucent sheets, therefore, the further addition of a substrate would be antithetical to the teachings of Eysel et al.

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Conclusion

In view of the above amendment and remarks, reconsideration on all claims is respectfully requested. In the event any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

ANISSIMOFF & ASSOCIATES

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By



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